

Exhibit A

Part 1

Approved, SCAO

Original - Court (with instructions)
1st copy - Defendant (with instructions)2nd copy - Plaintiff (with instructions)
3rd copy - Return (with proof of service)STATE OF MICHIGAN
40TH JUDICIAL DISTRICTAFFIDAVIT AND CLAIM
Small ClaimsCASE NO.
17-1430-SC

Court address

27701 JEFFERSON AVE, ST. CLAIR SHORES, MI 48081

Court telephone no.

(586) 445-5280

See additional notice and instructions on the back of plaintiff and defendant copies.

RECEIVED
AUG 18 2017

NOTICE OF HEARING

GC SERVICES LAW DEPARTMENT Use Only

The plaintiff and the defendant must be in court on

NOVEMBER THURSDAY

NOVEMBER 9, 2017

Day

Date

at 1:30 PM at the court address above.

Time
Location

Process server's name

Fee paid: \$

1. Jeremy Birmingham
Plaintiff
Address 21108 Hoffman St.
St. Clair Shores, MI 48082
City, state, zip 586
Telephone no. 904 10982. NetLoan Services Inc / GC Services Inc
Defendant
Address 3015 S. Parker Rd. 4001
4326 N. Broadway
City, state, zip Aurora, CO 80014
Knoxville, TN 37917
Telephone no. 888 486-4722
800 756 6524

☐ 3. A civil action between these parties or other parties arising out of the transaction or occurrence alleged in this complaint has been previously filed in _____ Court. The case number, if known, is _____

The action ☐ remains ☐ is no longer pending.

4. I have knowledge or belief about all the facts stated in this affidavit and I am
☒ the plaintiff or his/her guardian, conservator, or next friend. ☐ a partner. ☐ a full-time employee of the plaintiff.

5. The plaintiff is ☒ an individual. ☐ a partnership. ☐ a corporation. ☐ a sole proprietor. ☐ Other _____

6. The defendant is ☐ an individual. ☐ a partnership. ☒ a corporation. ☐ a sole proprietor. ☐ Other _____

7. The date(s) the claim arose is/are Aug. 11, 2011
 Attach separate sheets if necessary.

8. Amount of money claimed is \$ 4,500 (NOTE: Plaintiff's costs are determined by the court and awarded as appropriate. They are not part of the amount claimed.)

9. The reasons for the claim are: Breach of contract, misrepresentation, fraud
damage to credit worthiness, various FDICPA violations

10. The plaintiff understands and accepts that the claim is limited to \$5,500 by law and that the plaintiff gives up the rights to (a) recover more than this limit, (b) an attorney, (c) a jury trial, and (d) appeal the judge's decision.

11. I believe the defendant ☒ is ☐ is not mentally competent. I believe the defendant ☒ is ☐ is not 18 years or older.

12. ☐ I do not know whether the defendant is in the military service. ☒ The defendant is not in the military service.
☐ The defendant is in the military service.

Subscribed and sworn to before me on 08/11/17 _____ County, Michigan.

My commission expires: _____
 Date

Signature: _____

Deputy clerk/Notary Public

Notary public, State of Michigan, County of _____

The defendant(s) must be served by 11/13/17
 Expiration date

ADDITIONAL NOTICE AND INSTRUCTIONS**TO BOTH THE PLAINTIFF AND THE DEFENDANT:**

- You must bring to the hearing all witnesses, books, papers, and other physical evidence needed to prove or disprove this claim.
- Before the trial (hearing) starts, you have the right to
 1. remove the case to the general civil division of the district court; or
 2. have the case heard by a district court judge (if the hearing is scheduled before an attorney magistrate). If the case is heard by an attorney magistrate, you may appeal to the district judge within 7 days after the trial.
- If the case is tried in the small claims division, you give up the right to an attorney, to a jury trial, and to appeal the judge's decision.

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

TO THE DEFENDANT:

- The affidavit and claim you have just received means you are being sued in the small claims division of the district court.
- The court is being asked to decide a matter that the plaintiff says is your obligation and responsibility.
- If you wish to deny this claim or arrange terms of payment, you must make your request by appearing at the date, time, and place stated in the notice of hearing on the front of this form.
- If you do not appear at the date, time, and place stated, a default judgment may be entered against you for the amount stated in item 8, including the costs of this action.
- If the dispute is settled before or at the hearing, you may have to pay the plaintiff's costs.
- In case a judgment is entered against you at the hearing, you should be prepared to pay the amount stated in item 8, including the costs of this action, or to make arrangements for installment payments.

Exhibit A

Part 2

Original - Court
1st copy - Plaintiff
2nd copy - Defendant

Approved, SCAO

STATE OF MICHIGAN 40th JUDICIAL DISTRICT	DEMAND AND ORDER FOR REMOVAL Small Claims	CASE NO. 17-1430 - SC - GC
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Court address

27701 Jefferson Ave, St. Clair Shores, MI 48081

Court telephone no.

(586) 445-5280

Plaintiff's name, address, and telephone no.

 Jeremy Birmingham
 21108 Hoffman Street
 St. Clair Shores, MI 48082
 586-904-1098

v

Personal service

Defendant's name, address, and telephone no.

 GC Services Limited Partnership
 6330 Gulfton Street
 Houston, TX 77081
 713-776-6482

Personal service

 This demand is made by ☐ plaintiff. ☐ plaintiff's attorney. ☒ defendant. ☐ defendant's attorney.
DEMAND

I demand that this case be removed from the small claims division to the general civil division of the court.

9/13/17

Date

Attorney's name, address, and telephone no. (party demanding removal)

 Michael Sfeir
 GC Services Limited Partnership
 6330 Gulfton Street
 Houston, TX 77081
 713-776-6482

Signature of party demanding removal

Michael Sfeir

Name (type or print)

6330 Gulfton Street

Address

Houston, TX 77081

City, state, zip

713-776-6482

Telephone no.

ORDER

IT IS ORDERED: This case is removed to the general civil division of the court for further proceedings. **The defendant has 14 days from the date of this order to file a written answer and serve it on the other party or take other lawful action with the court. If the defendant does not answer or take other action within the time allowed, judgment may be entered for the relief demanded in the complaint.**

Date

Judge/Attorney magistrate

Bar no.

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this demand and order on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3).

Date

Court clerk